



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No. 065691-0145

Applicants: Louis DeLesalle *et al.*

Title: RECOMBINANT PLANT GENOME, COMPRISING SPECIFIC  
CHICORY GENES AND A NUCLEOTIDE SEQUENCE  
CONFERRING MALE STERILITY, AND ITS USE

Application No.: 09/194,598

Filing Date: November 30, 1998

Examiner: David H. Kruse

Art Unit: 1638

**RECEIVED**

JUL 17 2002

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated January 14, 2002, and the Advisory Action dated June 25, 2002, of the Examiner finally rejecting Claims 12, 15-18.

☐ Applicant claims small entity status.

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ Notice of Appeal Fee

☒ To be paid as detailed below

☐ Not required (Fee paid in prior appeal)

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320.00 OP

Serial No.: 09/194,598

Attorney Docket No.: 065691-0145

The required fees are calculated below:

<input checked="" type="checkbox"/>		Notice of Appeal Fee	\$320.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:		\$920.00
<input checked="" type="checkbox"/>	Extension Already Obtained for first month:		\$110.00
	FEE TOTAL:		\$1130.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$1130.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$1130.00 . A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$1130.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

July 12, 2002

By

Stephen B. Maebius

FOLEY & LARDNER

Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5569

Facsimile: (202) 672-5399

Stephen B. Maebius

Attorney for Applicant

Registration No. 35,264